

CONTINUATION OF AN APPLICATION FOR A SEIZURE WARRANT

I, Caleb Slavens, being duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this continuation of an application for a warrant to seize a black 2020, Chevrolet Silverado pickup, VIN 3GCPYEEK1LG243055, bearing Illinois plate 374005B registered to JESUS GAYTAN-GARCIA, at 5927 S. Keeler Ave Chicago, Illinois 60629, (hereinafter referred to as the **TARGET VEHICLE**.) I am applying for a warrant on the grounds that the **TARGET VEHICLE** is any property, real or personal, which constitutes or is derived from proceeds traceable to a violation of 18 U.S.C. § 2314, interstate transportation of stolen money, which GAYTAN-GARCIA committed on or about July 30, 2023. (Case No. 1:24-cr-00041, ECF.10, Indictment, PageID.48.) Accordingly, the **TARGET VEHICLE** is subject to criminal forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c).

2. I am a Task Force Officer (TFO) with the Federal Bureau of Investigation (“FBI”) and have been since June 2023. I am currently assigned to the Saint Joseph, Michigan Office. I have been a sworn police officer in the State of Michigan for 26 years; I am also a sworn police officer in the State of Indiana and have been for nearly one year. I am currently employed by the Pokagon Tribal Police Department as a Detective Sergeant. I hold a Special Law Enforcement Commission (SLEC) issued by the Bureau of Indian Affairs, which grants Federal Law Enforcement Authority pursuant to 25 U.S.C § 2803. My duties include the investigation of various violations of Tribal law, Michigan and/or Indiana State Law (as applicable), and Federal criminal law. Those

duties include the investigations of numerous Larceny and Thefts including 18 U.S.C. § 2314, interstate transportation of stolen money.

3. The information set forth in this continuation is based upon my personal knowledge and participation in the investigation described below, as well as information provided to me by other law enforcement officers. I have not set forth all of the information known to me or known to other law enforcement officers concerning this matter. This continuation is intended to show only that there is sufficient probable cause probable cause for the requested seizure warrant.

FACTS SUPPORTING PROBABLE CAUSE

4. On July 30, 2023, at approximately 1:23 p.m., a call from phone number +52 998 7307909, came into the main switchboard of the Hartford location of the Four Winds Casino, located at 68600 Red Arrow Highway, Hartford, MI 49057. This casino is located on land held in trust for the use and benefit of the Pokagon Band of Potawatomi Indians (“Pokagon Band”), that is Indian Country. See 18 U.S.C. § 1151.

5. According to open-source searches, +52 998 7307909 is a Mexican telephone number with a Cancun area code. The caller stated that his name was Charles Martinez, Tribal Chairman of the Pokagon Band, and that he needed to speak with the cage manager¹. The caller was then briefly put on hold by the main

¹ Later investigation revealed that the caller was not the tribal chairperson of the Pokagon Band. The current tribal chairperson of the Pokagon Band is named Rebecca Richards, not Charles Martinez.

switchboard and transferred to the cage at the Hartford Casino. The cage manager, hereinafter referred to as D.Y., picked up the phone.

6. While D.Y. was on the phone with the person purporting to be the tribal chairman calling from the +52 998 7307909 phone number, the cellular telephone assigned to the cage at Hartford Casino began receiving texts from phone number 973-359-5185. The sender of these texts claimed to be the Hartford Casino cage director, L.M., who was out of town.² L.M. is D.Y.'s boss at the Hartford Casino. While D.Y. was still on the phone with the person claiming to be to the tribal chairman, D.Y. began replying to the text messages coming into the Hartford Casino cage phone from the person claiming to be L.M. In these text messages, the person purporting to be L.M. told D.Y. that L.M. needed D.Y.'s help to make an urgent payment within the "next 20 min." The texter urged D.Y. to follow the instructions of the caller and that D.Y. needed to be "discreet" in handling the money.

7. The caller from phone number +52 998 7307909 indicated to D.Y. that he thought the connection was bad and asked for a cellular telephone number. D.Y. provided the telephone number for the cellular phone assigned to the cage, which the +52 998 7307909 number subsequently called directly. D.Y. then both spoke on the phone with the +52 998 7307909 caller and received text messages from "L.M." simultaneously on the same phone.

² Later investigation revealed that the texter was not L.M. and the 973-359-5185 is not associated to L.M.

8. While D.Y. was on the phone, a review of casino surveillance footage showed D.Y. opening the bank drawer in the cage. She then removed seven (7) bundles of currency from the bank drawer and placed the bundles into a large Michael Kors handbag. Surveillance footage showed D.Y. departing the cage at approximately 2:13 p.m. with the bag full of cage cash. Later investigation revealed that D.Y. walked out of the cage with approximately \$700,000 in U.S. currency. D.Y. left the cage cellular telephone behind, on which she had been talking to the +52 998 7307909 caller and texting "L.M." A coworker then called casino surveillance and explained that she just watched D.Y. leave the cage with a bag full of money.

9. Casino surveillance video recorded D.Y. on her personal cellular telephone at approximately 2:15 pm after exiting the cage. In a later interview, D.Y. reported to investigators that she then received a call from phone number +52 998 7307909 on her personal cell phone. She remained on the phone with this caller for approximately one (1) hour and 56 minutes.

10. D.Y. departed the casino property at approximately 2:18 p.m. Pokagon Tribal Police Department (PTPD) was contacted minutes later regarding the incident, and efforts commenced to locate D.Y., who had departed the area in her 2014 Chevrolet Equinox.

11. At approximately 3:57 p.m. Eastern Time, 2:57 Central Time, D.Y.'s vehicle was observed on automated license plate readers at the Highway 12 and Interstate 65 near Gary, Indiana, and a broadcast was made to Indiana State Police. The vehicle was shortly thereafter located at a Citgo gas station at 901 E. 5th Street,

Gary, Indiana. Law enforcement was able to locate D.Y. because she had contacted her supervisor, L.M., and told him where she was. L.M. then notified PTPD, who dispatched local police to the location. D.Y. was taken into custody.

12. During a later interview with law enforcement, D.Y. said that the caller than instructed D.Y. to select a gas station near Gary, Indiana, pull in, and tell him where it was. D.Y. was then instructed to put her hazards on her vehicle so that she could be identified. D.Y. said that she was parked next to the gas station building when a black Chrysler Pacifica, occupied by at least two males, pulled in by the gas pumps. D.Y. described the front passenger of the Chrysler Pacifica as a Hispanic male approximately 37 years of age, clean-cut with a goatee. D.Y. said that he approached her vehicle. D.Y. was still on the phone with the caller, who asked D.Y. to describe the individual who approached her. She said that he was wearing a grey construction shirt with a picture of a black, red, and white symbol with lumber inside the symbol. D.Y. was then instructed to pull up next to the Chrysler Pacifica at the gas pumps, which she did. D.Y. then handed each bundle of money individually to the man wearing the grey construction shirt.

Identification of Jesus GAYTAN-GARCIA

13. Based upon this information, a search of automated license plate readers in the area for a black Chrysler Pacifica within this time frame returned a Chrysler Pacifica heading Eastbound on Hwy 12 and I-65, less than one mile from the Citgo gas station, bearing Illinois plate BX82038, registered to A.B., Jesus GAYTAN-GARCIA's wife at 5927 S. Keeler, Chicago, IL. Jesus GAYTAN-GARCIA is a 44-year-old male

from Mexico, without legal authorization to be in the United States.³ He has no known criminal history.

14. Separately, the black Chrysler Pacifica was located by an automated license plate reader heading Southbound on I-80 in the vicinity of Portage, Indiana at approximately 2:45 p.m., a little under 9 miles from the Citgo gas station, and again traveling Westbound on US12 and I-65 in the direction of the Citgo gas station at approximately 3:04 p.m. Central Time. Further automated license plate reader inquiries returned that the vehicle traveled from the Gary, Indiana, location, to I-80 freeway towards Illinois, heading Northbound on I-90/I-94 at the 63rd Street exit in the vicinity of Chicago, Illinois at approximately 3:56 p.m. Central Time. This matches the approximate time when D.Y. met with the unknown subjects at the Citgo gas station.

15. Late September 2023 searches of automated license plate reader systems for a Chrysler Pacifica bearing Illinois plate BX82038 indicated that the vehicle had traveled from Chicago to California and back to Chicago between September 19 and September 28, 2023. An inquiry of FBI databases for any law enforcement checks for the aforementioned license plate returned results that Colorado State Patrol ran the

³ Searches of FBI databases indicated that GAYTAN-GARCIA had been denied an immigrant visa in 2012. Searches did not provide any permanent resident or naturalization records. Additionally, I have spoken with U.S. Customs and Border Patrol agents who have confirmed that GAYTAN-GARCIA does not currently have status in the U.S., and therefore is in the U.S. illegally.

plate for a traffic stop on September 26, 2023, at mile post 145 on I-76 in Logan County. The vehicle was traveling 109 mph in a 75-mph zone. Records and bodycam footage were formally requested from Colorado State Patrol, which provided information that the driver of the Chrysler Pacifica was Jesus GAYTAN-GARCIA, date of birth 08/XX/1980, and resident address 5927 S. 8 Keeler, Chicago, IL, the same address as A.B. GAYTAN-GARCIA also gave cellular telephone number XXX-XXX-7594⁴ as his contact number. Information obtained from other accounts later indicated that this phone number belongs to A.B. Bodycam footage from the stop showed that the two adult occupants of the Chrysler Pacifica matched known photos of Jesus GAYTAN-GARCIA and A.B.

16. Google provided investigators with subscriber information for an email account gaytanj570@gmail.com, which open-source social media searches revealed was associated with Jesus GAYTAN-GARCIA. Google provided a name of Jesus Gaytan and a telephone number of (XXX) XXX-7203 and IP logs. An administrative subpoena to Comcast for IP 73.58.98.179 assigned on 07-14-2023 at 20:11:46 Z and 07-17-2023 at 18:20:26 Z returned the following subscriber information:

Subscriber Name: [A.B]

Service Address: 5927 S KEELER AVE CHICAGO, IL 606294918

⁴ The full phone number is known to me, and I can provide it to the Court upon request. I have omitted full phone numbers in the Continuation to protect personally identifiable information.

Billing Address: 5927 S KEELER AVE CHICAGO, IL 606294918

Telephone #: (XXX) XXX-7594

17. Google also responded to a search warrant requesting geolocation information for gaytanj570@gmail.com on July 30, 2023, the day of the Hartford Casino heist. Analysis of the information provided by Google indicated that between 1:00pm and 2:00pm, the account headed east from near the address on S. Keeler in Chicago, traveling towards Indiana on I-90. Between 2:00pm and 3:00pm, the account travels towards Portage, IN. The account then travels back west and pings at 901 E. 5th Avenue, Gary, IN at 3:08pm, which was the approximate time when D.Y. met with the unknown subjects at the Citgo gas station.

18. Searches of law enforcement financial databases provided information that a “Jesus Gaytan,” date of birth 08/XX/1980, sent Western Union wire transfers providing an address of Jackson Street, Sunman, IN to Jalisco, Mexico, in the amounts of \$1,300 and \$1,826.70 on July 30 and July 31, 2023, respectively. The date of birth and driver’s license numbers are a match for GAYTAN-GARCIA. The telephone number for the sender of both transactions was listed as (XXX) XXX- 7203.

19. A search for (XXX) XXX-7203 within tower dump search warrant returns from cell towers in Portage, IN, and Gary, IN, located near where the money was passed from D.Y. to the unknown subjects driving the Chrysler Pacifica on July 30, 2023, returned data hits on both locations within the AT&T information. This means that this cellular telephone assigned the number (XXX) XXX-7203 was being used for data at these locations on the same day, around the time, of the Citgo gas station money

exchange.

20. AT&T provided subscriber information for (XXX) XXX-7203. AT&T records revealed that the user was “Jesus Gaitan,” but the billing party was a Jorge Cruz, who resided on W. Marquette Road in Chicago, Illinois.⁵ Though I believe that this “Jesus Gaitan” is the same person as Jesus GAYTAN-GARCIA, the records do not provide additional identifiers or an address that affirms that they are the same person.

21. AT&T also responded to a search warrant requesting geolocation information for (XXX) XXX-7203 on July 30, 2023. Analysis of the geolocation for this number indicates that it traveled eastbound from Chicago on July 30, 2023, and turned around near Portage, Indiana, stopping at the location of the Citgo gas station in Gary, Indiana, at the date and time that D.Y. met the unknown individuals and gave them the money. Comparison to the Google results indicated that that the path and location times for (XXX) XXX-7203 mirrored those of the Google account gaytanj570@gmail.com.

Identification of Target Vehicle

22. On January 31, 2024, during physical surveillance of 5927 Keeler Ave address detectives identified a black 2020 Chevrolet Silverado pickup, VIN 3GCPYEEK1LG243055, bearing Illinois plate 374005B (**TARGET VEHICLE**). A

⁵ I am aware of the full address on W. Marquette Road. I have omitted the exact location to protect the personal identifiable information of Jorge Cruz. I can provide the exact address to the Court upon request.

photo of the **TARGET VEHICLE** is depicted below:



23. Record checks with the Illinois Secretary of State confirmed that the **TARGET VEHICLE** is registered to Jesus GAYTAN-GARCIA and was purchased on October 16, 2023, approximately two and a half months after the theft of the Hartford Casino. The date of the purchase is significant, because during an interview with law enforcement A.B. admitted that prior to the theft of the casino, she and GAYAN-GARCIA lived paycheck-to-paycheck.

24. The Illinois Secretary of State documentation further showed that

GATYTAN-GARCIA paid \$20,000 to an individual herein referred to as G.T.⁶ for the **TARGET VEHICLE** on or around October 10, 2023, as shown below:

SELLER INFORMATION			
Name of Seller		Position (if applicable)	
Address of Seller		Position	
Printed Name of Seller		Dealer Number (if applicable)	
Printed Name of Seller			
Date of Sale (month, day, year)	Selling Price	Trade In Price (if any)	Total Price Paid
10/10/23			20,000

25. On February 28, 2024, the FBI, accompanied by Pokagon Tribal Police Detectives, executed a federal search warrant of 5927 S. Keeler, the residence of A.B. and GAYTAN-GARCIA.

26. A.B. and GAYTAN-GARCIA's 23-year-old daughter, Y.G., were present during the search of the residence. Both participated in interviews with law enforcement on scene. During that interview, A.B. admitted that on July 30, 2023, GAYTAN-GARCIA used her car (the black Chrysler Pacifica) and A.B. saw a lot of money on the table in the garage that day in \$100 denominations. A.B. also admitted that they typically lived paycheck-to-paycheck.

27. Investigators located in a safe in the basement of the 5927 S. Keeler residence. Inside of this safe they found a bundle of \$100 bills with a wrapping reading, "SOFT COUNT, JUL 30 2023, HARTFORD," as pictured below. This is significant

⁶ I am aware of the address and full name of G.T. and can provide it to the court upon request.

because the date July 30, 2023, is the same date of the Hartford Casino theft and the word “HARTFORD” matches the name of the Hartford Four Winds Casino, where the money was taken on July 30, 2023.



28. On February 28, 2024, the **TARGET VEHICLE** was seized by FBI Chicago and has remained in law enforcement custody since.

APPLICABLE FORFEITURE LAW

29. I am advised that 18 U.S.C. §981(a)(1)(C) provides for the civil forfeiture of any property, including vehicles, which constitutes or is derived from proceeds traceable to a violation of 18 U.S.C. § 2314, interstate transportation of stolen money, and that 28 U.S.C. § 2461(c) authorizes forfeiture of the same through a federal criminal case.

30. Because an automobile is inherently mobile, probable cause exists to believe that a protective order pursuant to 21 U.S.C. § 853(e) would be insufficient to assure the availability of **TARGET VEHICLE** for criminal forfeiture in the event Jesus GAYTAN-GARCIA is convicted.

31. Finally, I am advised that, notwithstanding Rule 41(a) of the Federal

Rules of Criminal Procedure, 18 U.S.C. § 981(b)(3) allows a judicial officer to issue a seizure warrant in any district in which a forfeiture action may be filed, and that the seizure warrant may be executed in any district in which the property is found. Here, the original acts giving rise to forfeiture occurred in this judicial district, and the property is currently located in Chicago, Illinois (Northern District of Illinois).

32. I am further advised that pursuant to 28 U.S.C. § 1355(b)(1)(A), the United States has the authority to initiate a civil forfeiture action in this district because it can be shown that GAYTAN-GARCIA purchased the **TARGET VEHICLE** from proceeds traceable to a violation of 18 U.S.C. §2314, interstate transportation of stolen money.

33. I am further advised that the **TARGET VEHICLE** has been included in the forfeiture allegation of the indictment returned by the grand jury against GAYTAN-GARCIA pursuant to 18 U.S.C. § 981(a)(1)(C), 28 U.S.C. § 2461(c).

CONCLUSION

34. Pursuant to 18 U.S.C. §981(a)(1)(C)), and based upon the above facts, I request the issuance of a warrant authorizing the seizure of a black 2020, Chevrolet Silverado pickup, VIN 3GCPYEEK1LG243055, bearing Illinois plate 374005B registered to JESUS GAYTAN-GARCIA, at 5927 S. Keeler Ave Chicago, Illinois 60629.